

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

ROXANE LABORATORIES, INC.,

Plaintiff,

v.

CAMBER PHARMACEUTICALS INC.

et al.,

Defendants.

Civil Action No. 14-4042 (SRC)

OPINION & ORDER

CHESLER, U.S.D.J.

This matter comes before the Court on the motion by Plaintiff Roxane Laboratories, Inc. (“Roxane”) to dismiss Defendants’ inequitable conduct counterclaim and strike Defendants’ inequitable conduct defense. This Court agrees with Defendants that the filing of the Amended Answer on September 29, 2014 renders this motion moot. The motion will be denied without prejudice, and Roxane may file an amended motion to dismiss in regard to the amended pleading.

For these reasons,

IT IS on this 24th day of October, 2014 hereby

ORDERED that Plaintiff’s motion to dismiss (Docket Entry No. 117) is **DENIED** as moot.

s/ Stanley R. Chesler
Stanley R. Chesler, U.S.D.J.